

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1999-334-C – ORDER NO. 1999-864
DECEMBER 9, 1999

IN RE: Doug McClure,)	ORDER ✓
)	MODIFYING
)	PREFILING
Complainant/Petitioner,)	DEADLINES
)	
vs.)	
)	
BellSouth Telecommunications, Inc.,)	
)	
Respondent/Defendant.)	
)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) for modification of the prefiling dates for rebuttal and surrebuttal testimony in this complaint matter and for continuance of the hearing in this matter. Doug McClure, Complainant/Petitioner, requests that he be granted additional time in which to file rebuttal testimony in this matter and further requests that the hearing scheduled for December 2, 1999 be continued. Mr. McClure's request was transmitted to the Commission's Executive Director via e-mail. As the basis for his request, Mr. McClure states that he did not receive the prefiled testimony of BellSouth Telecommunications, Inc., the Respondent/Defendant in this matter, until Monday, November 29, 1999, which was the date that his rebuttal testimony was due. The Commission's records indicate that BellSouth filed its testimony and exhibits with the Commission on Wednesday,

November 24, 1999, and the Certificate of Service accompanying the filing indicates that the testimony and exhibits were mailed to Mr. McClure on that same date. The Commission notes that an extension and modification of prefile dates was previously granted to BellSouth due to Mr. McClure's failure to serve his prefiled direct testimony on the Respondent/Defendant as required by the Commission's Rules and Regulations and as required by Order No. 1999-716 dated October 11, 1999, captioned "Order Establishing Pre-Filing Deadlines."

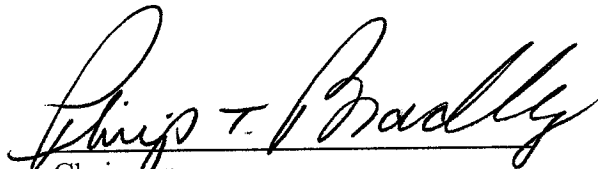
Upon consideration of this matter, the Commission grants the extension and modifies the prefiling dates as follows: Mr. McClure, the Complainant/Petitioner, shall prefile any rebuttal testimony and exhibits on or before **December 22, 1999**; BellSouth, the Respondent/Defendant, shall prefile any surrebuttal testimony and exhibits on or before **December 29, 1999**. All rebuttal and surrebuttal testimony and exhibits **shall be served on the other parties to the docket**. Further, all rebuttal and surrebuttal testimony and exhibits **must be in the offices of the Commission and in the hands of the opposing parties on the dates shown**. It should also be noted that acceptance of surrebuttal testimony and exhibits is subject to the discretion of the Commission.

Further, the parties shall prefile twenty-five copies of testimony and exhibits as required by 26 S.C. Code Regs. 103-869(C) (Supp.1998). All parties are also reminded that all witnesses must be present during the hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witness(es)' testimony to be read into the record of the proceeding, and/or may decline to allow the witness(es)' exhibits to be entered into the evidence of the case.

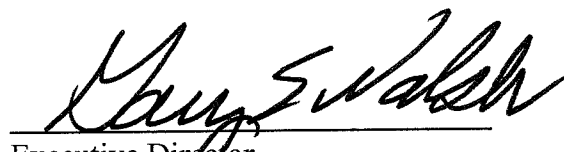
All parties shall take notice that the hearing on this matter is scheduled to begin at **2:30 p.m. on Thursday, January 6, 2000**, in the Commission's Hearing Room at Koger Center, First Floor of the Saluda Building, 101 Executive Center Drive, Columbia, South Carolina 29210.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)